

meanor and upon conviction thereof shall be punished with a fine of not more than one thousand dollars (\$1,000.00) or by imprisonment for a period of not more than six (6) months, or by both such fine and imprisonment.

(b) Each person shall be guilty of a separate offense for every day during any portion of which any violation of any provision of this article is committed, continued or permitted by such person and shall be punishable therefor as provided in this article. (Code 1961, § 23.5; Ord. No. 534, § 1, 4-8-74; Ord. No. 811, § 1, 5-9-89)

Note—Formerly, § 22-30.

Secs. 22-33—22-40. Reserved.

ARTICLE II. RESERVED*

ARTICLE III. MOVING BUILDINGS†

Sec. 22-41. Permit required.

No building or other structure shall be moved along, over or across any street or other public thoroughfare in the city until a permit therefor is issued by the city clerk pursuant to a written application for such permit and in compliance with all of the provisions of this article by the applicant for such permit. (Code 1961, § 23.12)

Sec. 22-42. Permit application required; deposit, insurance.

Every applicant for a permit to move a building or other structure, along, over or across any street or other public thoroughfare in the city shall file a written application therefor showing the name and address of the applicant, his compliance with the requirements of the Vehicle Code of the state if such moving operation involves the use of a vehicle designated in the Vehicle Code as overweight or oversize, and shall deposit with the application the sum of one hundred dollars (\$100.00) to be used by the city to reimburse itself for the reasonable value of the time of each officer or employee of the city at the rate of not less than five dollars (\$5.00) per hour for such time as each member of the

***Note**—See the editor's note to art. I of this chapter.

†**Cross reference**—Building regulations generally, ch. 7.

police department and police car is used to accompany, precede or follow any vehicle used in moving any building or other structure for the purpose of directing or regulating traffic, and at the rate of not less than two dollars and fifty cents (\$2.50) per hour for such time as any member of the department of public works is used to trim, cut or hold up trees or foliage along the route of such moving operation, and shall also accompany such application by proof that any such applicant has in full force and effect insurance in a corporation duly licensed to issue such insurance in the state insuring against public liability in the sum of fifty thousand dollars (\$50,000.00) for bodily injury or death to one person and one hundred thousand dollars (\$100,000.00) for bodily injuries or deaths arising out of such operation, and fifty thousand dollars (\$50,000.00) for damages to property of any person and fifty thousand dollars (\$50,000.00) of aggregate liability for damage to property generally, including any damage to streets, curbs or sidewalks in this city, such insurance to remain in effect until thirty (30) days after the completion of such moving operation and the opportunity for the director of public works to ascertain if any damage to any such street or public thoroughfare has occurred by reason thereof. (Code 1961, § 23.13)

Sec. 22-43. Determination of route; permit issuance.

Upon compliance by an applicant with the provisions of section 22-42, the city clerk shall obtain from the chief of the Belmont Fire District a statement of the route or course to be used, and shall transmit the same to the applicant who shall follow such course. The city clerk shall thereupon issue a permit for such moving operation, which shall designate the house or houses to be moved, the route to be used in such moving operation and the approximate date and times for such moving operation, which shall be as nearly as possible during hours when traffic will not be substantially affected. No such permit shall be issued for the moving of any house along or over any blind or dead-end street or portion thereof upon which any building or structure faces, except by written consent of the police and fire departments. (Code 1961, § 23.14)

Sec. 22-44. Designation of supervising officers.

Upon the issuance of a permit required by this article, the city clerk shall designate one or more officers of the city police department in his discretion and one or more members of the street department, if appropriate, in his discretion, to accompany, precede or follow any vehicle so engaged in moving a building or other structure from the point where such moving operation starts within the city to the destination of such building or structure. (Code 1961, § 23.14)

Sec. 22-45. Use of deposit.

The city clerk shall keep a record of the time of each officer or employee of the city whose services are designated to be rendered in connection with any moving operation, and shall charge the applicant with the sum per hour for each such officer or employee prescribed by section 22-42, and deduct the same from such deposit made by such applicant. Upon the completion of the moving operation, the city clerk shall, within three (3) days, return to the applicant from his deposit any balance remaining therein, and the remainder thereof shall be deposited in the city treasury. (Code 1961, § 23.15)

Sec. 22-46. Trimming trees along route.

If any such moving operation necessitates or renders more convenient the trimming or cutting of any trees or limbs of trees or foliage to permit such building or other structure to be moved along the route appropriate therefor, the applicant for such permit shall furnish to the city clerk written evidence of the consent of the owner of any such tree or foliage to the cutting or trimming that may be necessary or appropriate to permit such building or other such structure to pass along the route to be used by the applicant. (Code 1961, § 23.16)

Secs. 22-47—22-57. Reserved.

ARTICLE IV. GAS TAX IMPROVEMENT FUND

Sec. 22-58. Created.

To comply with the provisions of section 2113 of the Streets and Highways Code, there